



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SIEGLER et al.

For: PEDESTRIAN TRAFFIC CONTROL DEVICE HAVING TAPE BELOW TOP  
OF POST

Serial No. 10/055,637

Filed: January 23, 2002

Examining Attorney: Ryan M. Flandro

Art Unit 3679

-----  
Box RESPONSES

FEE

Commissioner for Trademarks

2900 Crystal Drive

Arlington, Virginia 22202-3514

Sir:

This responds to the office action dated June 23, 2004.

Reconsideration is requested in view of the following  
comments.

Each of the dependent Claims, 2-6 and 8, have been objected  
to because they begin with the word "A" rather than with the  
word "The". However, it is believed that dependent claims  
beginning with "A" rather than with "The" is acceptable claim  
drafting form. The Examiner's attention is directed to the  
claims of applicants' Patent No. 6,375,164, of which the present  
application is a continuation-in-part, as well as references  
relied upon by the Examiner in previous office actions, namely,  
the Oster and Falcon patents. If the Examiner has authority for  
the proposition that dependent claims must begin with "The"  
rather than with "A", he is respectfully requested to cite such  
authority.

BEST AVAILABLE COPY

02/10/2005 SGARNETT 00000008 060783 10055637

01 FC:2253 510-1 DA



Box RESPONSES

FEE

Commissioner for Trademarks

For: PEDESTRIAN TRAFFIC CONTROL DEVICE HAVING TAPE BELOW TOP  
OF POST

Serial No. 10/055,637

December 20, 2004

Page 2

Please charge any other fees which may be required in connection with this application to Deposit Account No. 06-0735.

Respectfully,

Alan H. Levine

Attorney for Applicants

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VA 22202-3514, ON THE DATE INDICATED BELOW.

NAME Alan H. Levine

DATE December 20, 2004

BEST AVAILABLE COPY